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09/145,680

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THIRU SRINIVASAN

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09/15/2004

MARSH, FISCHMANN & BREYFOGLE LLP  
3151 SOUTH VAUGHN WAY  
SUITE 411  
AURORA, CO 80014

EXAMINER

DUONG, DUC T

ART UNIT

PAPER NUMBER

2663

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/145,680

Applicant(s)

SRINIVASAN, THIRU

Examiner

Duc T. Duong

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 30 is/are allowed.
- 6) ☒ Claim(s) 1-11, 20-29 and 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's arguments with respect to claims 1-11 and 20-29 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 20-29, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goss et al (U.S. Patent 6,493,447 B1) in view of Coffman et al (U.S. Patent 6,385,191 B1).

Regarding to claim 20, Goss discloses a communication system (Fig. 1), comprising computer based data network 32 containing information which is accessible by system users in connection with the data network (col. 4 lines 23-27); a server (call center) in connection with the data network, comprising a website accessible by the system users over the data network (col. 4 lines 49-51), where the web page includes an audio communications interface (HTML button) for selectively establishing an audio connection via the computer-based data network between the system user and an available service agent using a callback feature (col. 6 lines 12-26) and a processor 28 which processes the audio communication between the system user and the service agent (col. 4 lines 13-21), and receives and stores in memory 30 a version (cookies) of

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at least one web page from the website which the system user has viewed in a particular domain (col. 6 lines 9-11, the cookies uses by the web server 30 identified the web pages the customer has previously visited), wherein the at least one web page includes a web page which the system user is currently viewing (col. 7 lines 45-54; the communications session establishes between the agent's browser and the customer's browser presents the agent with the web page the customer is currently viewing); and a service agent interface 14 (col. 4 lines 3-6), which upon assignment of the audio communications to the service agent, receives a broadcasted, interactive version of the at least one web page from the processor (col. 7 lines 26-40).

Goss fails to teach the establishing an audio connection is by the system user placing a telephone call via the computer based data network to the available service agent.

However, Coffman discloses a communication system, wherein an audio connection is establishes by the user placing a telephone call via Internet to an available service agent (Fig. 1 col. 3 lines 31-65).

Thus, it would have been obvious to a person of ordinary skill in the art to arrange for the user to initiates an audio connection to an agent via the Internet, as taught by Coffman in Goss's system, to permits packet communication and telephonic communications simultaneously between the user and the agent. The motivation to do so would have been to avoid the delay inherent in the callback feature, wherein the user must wait for the service agent to call back, and to provide the user with only one line

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available for Internet access the capability to perform both voice and data communication with the service agent.

Regarding to claim 1, Goss discloses all the limitation with respect to claim 1 including a telephone system 12 which receives the audio communication from the processor and assigns it to the service agent (col. 3 lines 65-67 and col. 4 lines 1-2).

Regarding to claims 2 and 21, Goss discloses the data network is the worldwide web (col. 4 lines 23-27).

Regarding to claims 3 and 22, Goss discloses links included in the version of the web pages, which the system user is viewing and has viewed are active and provide access to the data network (Fig. 6 col. 10 lines 52-67 and col. 11 lines 1-10).

Regarding to claims 4 and 23, Goss discloses the reconstructed web pages include all hypertext links and includes at least one of IP address, cookies, logic ID, password, any hidden HTML tags, and Java applets (col. 7 lines 39-50).

Regarding to claims 5 and 24, Goss discloses the telephone system is a PBX system, which assigns telephone connections based on the service agent availability (col. 13 lines 2-6).

Regarding to claims 6 and 25, Goss discloses the telephone connection is established through Surf&Call technology (col. 6 lines 16-26).

Regarding to claims 7 and 26, Goss discloses the interactive version of the at least one web page is delivered to the service agent using PUSH technology (col. 8 lines 56-63).

Regarding to claim 8, Goss discloses the service agent user interfaces and the automated telephone system are incorporated into a local area network LAN (Fig. 1 col. 5 lines 14-30).

Regarding to claims 9 and 27, Goss discloses user interfaces which the system users employ to connect with the data network include a system user web browser plug-in which converts the at least one web page to HTML language (col. 6 lines 5-7).

Regarding to claims 10 and 28, Goss discloses the service agent interfaces include a service agent web browser plug-in for receiving the broadcasted, interactive version of the at least one web page (col. 7 lines 36-40).

Regarding to claim 29, Goss discloses the system user web browser includes an ID for the system users in the converted web pages in a message to the processor (col. 6 lines 1-5) and at least one of hypertext links, I.P. address, cookies, log-in I.D., password, Java applets, and any hidden HTML tags along with the listed information for each of the web pages visited by the system user under the domain (col. 7 lines 32-47).

Regarding to claim 31, Goss discloses a communication system (Fig. 1), comprising computer based data network 32 containing information which is accessible by system users in connection with the data network (col. 4 lines 23-27); a call center having a plurality of service agents 14, each having a computer-based device for communicating via the Internet via a server 30 connected to the Internet (col. 3 lines 55-60), wherein the server has a plurality of web pages that can be accessed by the system user (col. 5 lines 4-9); wherein at least one of the web pages includes an icon (HTML button) located that can be selected by the system to placed a callback request

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via the Internet from the-based devices of the system user to the computer-based device of an available service agent (col. 6 lines 11-26).

Goss fails to teach the establishing an audio connection is by the system user placing a telephone call via the computer based data network to the available service agent.

However, Coffman discloses a communication system, wherein an audio connection is establishes by the user placing a telephone call via Internet to an available service agent (Fig. 1 col. 3 lines 31-65).

Thus, it would have been obvious to a person of ordinary skill in the art to arrange for the user to initiates an audio connection to an agent via the Internet, as taught by Coffman in Goss's system, to permits packet communication and telephonic communications simultaneously between the user and the agent. The motivation to do so would have been to avoid the delay inherent in the callback feature, wherein the user must wait for the service agent to call back, and to provide the user with only one line available for Internet access the capability to perform both voice and data communication with the service agent.

4. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goss, Coffman, further in view of Sassin et al (U.S. Patent 6,449,260 B1).

Regarding to claim 11, Goss and Coffman discloses all the limitation with respect to claim 1 includes converting a web page into at least one of hypertext links, IP address, cookies, logic ID, password, any hidden HTML tags, and Java applets (col. 7 lines 39-50). But Goss and Coffman fail to teach for the system user web browser

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includes the converted at least one web page in an E-mail message to the processor, which includes a Caller ID for the system user, along with the text and information visited by the system user under the domain. However, Sassin discloses an automatic call distribution system includes sending the converted of web page in an e-mail message to the web server 66 (processor), which includes an identification number (caller ID) along with other information required for accessing the message (col. 8 lines 31-49). Thus, it would have been obvious to a person of ordinary skill in the art to include the browser for converting of web page in an e-mail message, as taught by Sassin, in Goss and Coffman's browser to allows agents to provide technical assistance regarding with products/services inquiry to customer that has no voice connection communication.

***Allowable Subject Matter***

5. Claims 12 and 30 are allowed.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the



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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-Th (9:00 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DD

  
CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600